

INTERFERENCE DIGEST

Interference No. 105,400

Paper No.

Name: Todd W. Seeley

Serial No.: 10/084,700

Patent No.

Title: huBUB3 gene involved in human cancers

Filed: 02/27/02

Interference with Yen et al.

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, _____ Dated, _____

Court, _____ Dated, _____

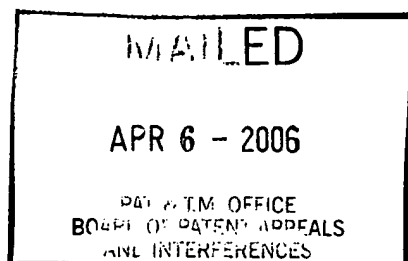
REMARKS

This should be placed in each application or patent involved in interference in addition to the interference letters.



UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES
BOX INTERFERENCE, WASHINGTON, D.C. 20231



Filed by: Judge Gardner Lane
Telephone: 571-272-9797
Facsimile: 571-273-0042

Applicant: SEELEY
Application No.: 10/084,700
Filed: 02/27/02
For: huBUB3 gene involved in human cancers

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,400.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).

/Sally Gardner Lane/
SALLY GARDNER LANE
Administrative Patent Judge

Mail Stop Interference
P.O. Box 1450
Alexandria Va 22313-1450
Tel: 571-272-9797
Fax: 571-273-0042

Filed: 6 April 2006

Paper 1

UNITED STATES PATENT AND TRADEMARK OFFICE

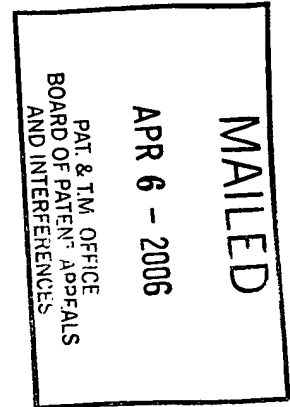
BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

TODD W. SEELEY
Junior Party
(Application 10/084,700),

v.

TIMOTHY YEN,
GORDON CHAN, and SANDRA JABLONSKI
Senior Party
(Patent 6,593,098).

Patent Interference No. 105,400
(Technology Center 1600)



DECLARATION - Bd.R. 203(d)¹

1 **Part A. Declaration of interference**

2 An interference is declared (35 U.S.C. § 135(a)) between the above-identified
3 parties. Details of the application(s), patent (if any), reissue application (if any),
4 count(s) and claims designated as corresponding or as not corresponding to the
5 count(s) appear in Parts E and F of this DECLARATION.

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¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1 **Part B. Judge managing the interference**

2 Administrative Patent Judge Sally Gardner Lane has been designated to
3 manage the interference. Bd. R. 104(a).

4 **Part C. Standing order**

5 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this
6 DECLARATION. The STANDING ORDER applies to this interference.

7 **Part D. Initial conference call**

8 A telephone conference call to discuss the interference is set for **2:00 p.m. on**
9 **25 May 2006** (the Board will initiate the call).

10 No later than **four business days** prior to the conference call, each party shall
11 file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd. R. 204;
12 SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

13 A sample schedule for taking action during the motion phase appears as Form 2
14 in the STANDING ORDER. Counsel are encouraged to discuss the schedule prior to
15 the conference call and to agree on dates for taking action. A typical motion period
16 lasts approximately eight (8) months. Counsel should be prepared to justify any
17 request for a shorter or longer period.

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Yen:
US PCT/US98/25415, filed 01 December 1998
60/067,093, filed 01 December 1997

Part G. Heading to be used on papers

The following heading must be used on all papers filed in this interference, see

SO ¶ 106.1.1:

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

TODD W. **SEELEY**
Junior Party
(Application 10/084,700),

v.

TIMOTHY **YEN**,
GORDON CHAN, and SANDRA JABLONSKI
Senior Party
(Patent 6,593,098).

Patent Interference No. 105,400)
(Technology Center 1600)

1 **Part H. Order form for requesting file copies**

2 When requesting copies of files, use of SO Form 4 will greatly expedite
3 processing of the request. Please attach a copy of Parts E and F of this
4 DECLARATION with a hand-drawn circle around the patents and applications for which
5 a copy of a file wrapper is requested.

/Sally Gardner Lane/
Administrative Patent Judge

Enc:

Copy of STANDING ORDER
Form PTO-850
Copy U.S. Patent 6,593,098
Copy of claims of 10/084,700
Copy of SEQ. ID. NO. 2 of 10/084,700
Copy of default schedule for taking action during the non-priority phase

Revised 3 January 2006

cc (via overnight delivery):

Attorney for **SEELEY**:

CHIRON CORPORATION
Intellectual Property R338
4560 Horton Street
Emeryville, CA 94608-2916

Tel: 510-655-8730

Attorney for **YEN**:

DANN, DORFMAN, HERRELL & SKILLMAN
1601 Market Street, Suite 2400
Philadelphia, PA 19103-2307